

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RICKEY PAUL BRUNET

v.

UNITED STATES OF AMERICA

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No. 3:04-0728
JUDGE CAMPBELL

ORDER


Pending before the Court is a Motion Under 28 U.S.C. § 2255 To Vacate, Set Aside, or Correct Sentence By A Person In Federal Custody (Docket No. 1), filed by the Movant/Petitioner (hereinafter “Petitioner”), pro se. Petitioner is now represented by attorney Dwight E. Scott. The Government has filed a response in opposition to the Motion (Docket No. 9).

The Court held an evidentiary hearing in this case on November 6, 2006 and November 21, 2006. For the reasons stated in the accompanying Memorandum, Petitioner’s Motion is DENIED, and this action is DISMISSED.

This Order shall constitute the judgment in this case pursuant to Fed. R. Civ. P. 58.

Should the Petitioner give timely notice of an appeal from this Order, such notice shall be treated as a application for a certificate of appealability, 28 U.S.C. 2253(c), which will not issue because the Petitioner has failed to make a substantial showing of the denial of a constitutional right. Castro v. United States, 310 F.3d 900 (6th Cir. 2002).

It is so ORDERED.


TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE